

BEFORE THE NEBRASKA LIQUOR CONTROL COMMISSION

In Re:	Barley's Tip Top Inc)	
	"Barley's Tip Top")	ORDER
	1510 Cuming)	
	Omaha NE 68102)	
)	
On Suspension, Cancellation or Revocation of)	
Retail Class CK-83192 Liquor License)	

Now on the 1st day of April, 2010, this matter came on for hearing before the Nebraska Liquor Control Commission, notice having been served upon the licensee to appear and respond to an administrative citation alleging that the license should be suspended, cancelled or revoked as more fully set out herein.

The licensee was present and represented by attorney Sean Kelley. The Commission was represented by Milissa Johnson-Wiles, Assistant Attorney General.

Based upon the testimony of the witnesses and the evidence received in this case, the Commission finds:

FINDINGS OF FACT:

1. That the licensee did, on or about October 24, 2009, permit the selling, dispensing, or giving away of alcoholic liquor, to or for an individual being less than 21 years of age.

CONCLUSIONS OF LAW:

1. That the said sale of alcoholic liquor to a person under the age of twenty one (21) is in direct violation of Section 53-180 of the Nebraska Statutes and/or 237-LCC6-019.01A of the Rules and Regulations of the Nebraska Liquor Control Commission.
2. That the license should be suspended for a period of fourteen (14) days.
3. That all staff shall complete an approved alcohol server training program within sixty (60) days from the date of this Order.

IT IS THEREFORE CONSIDERED, ORDERED, ADJUDGED AND DECREED that the Class CK License of Barley's Tip Top Inc., dba "Barley's Tip Top", 1510 Cuming, Omaha, Nebraska, should be, and the same hereby is, suspended for a period of fourteen (14) days, such suspension to commence at the closing hour of business on the 13th day of June, 2010, and to continue until the opening hour of business on the 28th day of June, 2010.

IT IS FURTHER ORDERED that the notice of suspension shall be posted upon the premises, said notice to remain posted throughout the term of said suspension.

IT IS FURTHER ORDERED that the licensee shall pay costs of this action, assessed in the amount of \$278.00. Failure to pay these hearing costs within 30 days from the date of this Order may result in further action being taken.

Dated this _____ day of May, 2010.

NEBRASKA LIQUOR CONTROL COMMISSION

BY _____
(Chairman)

I hereby certify that this is a true and correct copy of the original order entered herein, and further certify, that a copy was mailed by U.S. Certified Mail, return receipt requested, on this _____ day of May, 2010.

(Executive Director)